



CITY OF MORGAN HILL
CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY

COUNCIL CHAMBERS
17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, FEBRUARY 16, 2000

JOINT MEETING AGENDA

CITY COUNCIL REGULAR & SPECIAL MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

6:30 P.M.

*A Special Meeting is called at 6:30 p.m. for the
purpose of conducting two Closed Sessions.*

Dennis Kennedy, Mayor/Chairperson

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

City Council/Redevelopment Agency Action

CLOSED SESSION:

**Time
Estimate**

- | | |
|-------------------|---|
| 10 minutes | <p style="text-align: center;">1.</p> <p>CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION</p> <p>Legal Authority: Government Code 54956.8 & 54956.9(c) (1 potential case)</p> <p>Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)</p> <p>City Negotiators: Agency Members; Interim Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel</p> <p>Closed Session Topic: Potential Litigation</p> |
| 20 minutes | <p style="text-align: center;">2.</p> <p>CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:</p> <p>Significant exposure to litigation pursuant to subdivision (b)(1) of Government Code Section 54956.9: (1 case)</p> <p>Attendees: City Council, Jim Ashcraft, Interim City Manager, Interim City Attorney</p> |

CLOSED SESSION ANNOUNCEMENT:

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CERTIFICATE OF RECOGNITION

Marie Skinner
Volunteer

PRESENTATION

County Juvenile Probation Department
Juvenile Restoration Justice Program

United States Department of Commerce Census 2000
Fred Casillas

INTRODUCTIONS

Public Works

Ryan Do

Building Division

Gina Fitch, Municipal Services Assistant

Planning Division

Phyllis Dieter, Office Assistant II

CITY COUNCIL REPORT

Council Member /Agency Member Chang

INTERIM CITY MANAGER'S REPORT

INTERIM CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #8 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **JANUARY FINANCE AND INVESTMENT REPORT** 1
Recommended Action: Accept and file report.
2. **VACATION OF A PORTION OF SUNSET ROAD** 27
Recommended Action:
 1. **Adopt** Resolution No. 5349 thereby Vacating a Portion of Public Road Right-of-way Across Lots 6, 15, 16, 27 & 28 of Tract 9050, Sunset Road, and
 2. **Direct** the City Clerk to File a Certified Copy of the Resolution in the Office of the Recorder of Santa Clara County.

3. **CERTIFICATION OF THE BICYCLE PARKING FACILITIES PROJECT FOR THE TRANSPORTATION FUND FOR CLEAN AIR (TFCA) PROGRAMS MANAGER 2000/2001 FUNDING CYCLE** 35
Recommended Action: **Adopt** Resolution No. 5350 Supporting the Bicycle Parking Facilities Project as the City's 2000/2001 TFCA (40%) Project.
4. **ADOPT RESOLUTIONS AUTHORIZING THE FILLING OF THE MAIN AVENUE/UNION PACIFIC RAILROAD CROSSING SAFETY IMPROVEMENT AND MONTEREY ROAD/UNION PACIFIC RAILROAD UNDERCROSSING AND BIKEWAY IMPROVEMENTS APPLICATIONS FOR GRANT FUNDING** 45
Recommended Action:
 1. **Adopt** Resolution No. 5351 Authorizing the Filing of An Application for Federal Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program Funding for the Main Avenue/Union Pacific Railroad Crossing Safety Improvements and Committing the Necessary Local Match for the Project and Stating the Assurance of the City of Morgan Hill to Complete the Project; and
 2. **Adopt** Resolution No. 5352 Authorizing the Filing of An Application for Federal Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program Funding for the Monterey Road/Union Pacific Railroad Undercrossing and Bikeway Improvements and Committing the Necessary Local Match for the Project and Stating the Assurance of the City of Morgan Hill to Complete the Project.
5. **AMENDMENT TO CITY COUNCIL POLICY 94-01: ASSIGNMENTS TO OUTSIDE AGENCIES** 75
Recommended Action: **Approve** Amendment to Policy 94-01 to More Accurately Reflect that Appointments are to be Made by the Elected Mayor, Subject to City Council Approval.
6. **LOCAL LAW ENFORCEMENT BLOCK GRANT** 79
Recommended Action:
 1. **Authorize** Interim City Manager to Apply for and Accept a Local Law Enforcement Block Grant in the Amount of \$19,634;
 2. **Accept** the Spending Plan as Presented;
 3. **Appropriate** \$2,182 in Unallocated Reserves as Grant Matching Funds;
 4. **Authorize** the Transfer of \$21,816 in FY 99/00 from the Law Enforcement Block Grant Fund (205) to the General Fund (010); and
 4. **Appropriate** \$21,816 in FY 99/00 for Specific Grant Expenditures.
7. **APPROVAL OF SPECIAL JOINT CITY COUNCIL, PLANNING COMMISSION AND GENERAL PLAN TASK FORCE MEETING MINUTES OF JANUARY 24, 2000** 83
8. **APPROVAL OF SPECIAL MEETING MINUTES OF FEBRUARY 1, 2000** 87

OTHER BUSINESS:

| | Time Estimate | | Page |
|-----|--------------------------|--|-------------|
| 9. | 20 minutes | <u>FIRE SERVICES ISSUES IN THE JACKSON OAKS/HOLIDAY LAKE ESTATES AREA</u> | 89 |
| | | <u>Recommended Action:</u> | |
| | | 1. <u>Review</u> the Report from Fire Chief Doug Sporleder and Invite Him to Present His Findings at the Council Meeting; and | |
| | | 2. <u>Provide</u> Any Appropriate Council Direction to Guide the Update of the Fire and Life Safety Master Plan. | |
| 10. | 15 minutes | <u>CO-SPONSORSHIP OF FOURTH OF JULY EVENTS</u> | 107 |
| | | <u>Recommended Action:</u> | |
| | | 1. <u>Hear</u> Progress Report Regarding Planning for the Fourth of July Events; and | |
| | | 2. <u>Direct</u> Staff to Negotiate an Agreement with Independence Day Inc. regarding City Co-sponsorship of the Fourth of July Events. | |
| 11. | 15 minutes | <u>OVERSIZE VEHICLE PARKING ORDINANCE</u> | 117 |
| | | <u>Recommended Action:</u> | |
| | | 1. <u>Review</u> Implementation of Ordinance 1434 Restricting Parking of Oversize Vehicles in Residential Zones; and | |
| | | 2. <u>Take No Action:</u> | |
| | | <u>OR</u> | |
| | | <u>Schedule a Public Hearing</u> to Modify or Rescind the Ordinance. | |
| 12. | 5 minutes | <u>SUPPORT OF PROPOSITION 12, THE STATEWIDE BOND FOR SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000</u> | 125 |
| | | <u>Recommended Action:</u> <u>Support</u> the Passage of Proposition 12 at the March 7, 2000 Statewide Ballot and <u>Approve</u> the Proposed Resolution No. 5348. | |
| 13. | 15 minutes | <u>COMPLETION OF GENERAL PLAN UPDATE</u> | 133 |
| | | <u>Recommended Action:</u> | |
| | | 1. <u>Extend</u> the Time Period to Forward the Draft General Plan from February 2000 to May 2000; | |
| | | 2. <u>Authorize</u> the Interim City Manager to Enter into a Revised Agreement with Crawford Multari Clark & Mohr to Modify the Contract for Environmental Services for the General Plan; and | |
| | | 3. <u>Appropriate</u> \$17,000 from the General Plan Update Fund to Cover the Additional Cost of the Environmental Review to Convert the EIR for the General Plan from a Program EIR to a Master EIR. | |
| 14. | 10 minutes | <u>COUNCIL COMMITTEES AND OUTSIDE AGENCY ASSIGNMENTS</u> | 137 |
| | | <u>Recommended Action:</u> | |
| | | 1. <u>Discuss</u> the Roles and Responsibilities of Appointees to the Inter-governmental Committees and Boards; and | |
| | | 2. <u>Review</u> Appointments to Committees and Boards. | |

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|-----|------------|--|-----|
| 15. | 10 minutes | <u>DISCUSSION OF DRAFT SCRWA POLICY REGARDING SEWER CONNECTIONS IN OTHER CITIES</u> 141 <u>Recommended Action:</u> <u>For Council Discussion</u> and Staff Direction. | 141 |
| 16. | 10 minutes | <u>RECRUITMENT FOR POSITION OF CITY ATTORNEY</u> 149 <u>Recommended Action:</u> 1. <u>Seek</u> Proposals from Qualified Executive Search Firms to Conduct a Recruitment to Fill the Position of City Attorney; and 2. <u>Appoint</u> a Two Person Subcommittee of the Council to Review the Proposals and Recommend a Contract and Recruitment Process for Consideration by the Full Council. | 149 |

Redevelopment Agency Action

OTHER BUSINESS:

| | Time Estimate | | Page |
|-----|------------------|--|------|
| 17. | 10 minutes | <u>SUBORDINATION AGREEMENT WITH SPECIALIZED BICYCLES</u> 161 <u>Recommended Action:</u> <u>Authorize</u> the Executive Director to Do Everything Necessary to Subordinate the Agency's Loan to a Maximum \$4.3 Million Loan Obtained by Specialized Bicycles from Bank of America for Capital Improvements, including the Amendment of Any Related Loan Documents. | 161 |

City Council & Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #18 through #19 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

| | Time Estimate | | Page |
|-----|------------------|---|------|
| | | Consent Calendar: 1 - 10 Minutes | |
| 18. | | <u>APPROVAL OF JOINT SPECIAL/REGULAR REDEVELOPMENT AGENCY AND SPECIAL CITY COUNCIL MEETING MINUTES OF JANUARY 26, 2000</u> 167 | 167 |
| 19. | | <u>APPROVAL OF JOINT SPECIAL/REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF FEBRUARY 2, 2000</u> 177 | 177 |

OTHER BUSINESS:

| | Time Estimate | | Page |
|-----|--------------------------|--|-------------|
| 20. | 15 minutes | COMMUNITY CENTER PRELIMINARY DESIGN Recommended Action: <u>Consider</u> request by Parks and Recreation Commission for the Full Build Out of the Community Center Site as Presented in the Preliminary Conceptual Design by VBN Architects. | 197 |

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT